



Surf Pines Breeze

Newsletter of the Surf Pines Association



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Association Strengthens Enforcement of Speed Limit: 19 Drivers Assessed \$94 for Speeding



The association recently strengthened its enforcement of the posted speed limit of 25 miles per hour on the roads of Surf Pines. During the past quarter, 19 drivers were assessed \$94 for exceeding the speed limit.

Because the roads of Surf Pines are private property, owned by the association, no agency of either state or local government enforces the speed limit. Therefore, in accordance with Article 8.1.a of the bylaws, the association enforces the speed limit itself. For several years, the association has employed an off-duty deputy sheriff to monitor speed with radar. (Continued on page 2.)

Enjoy Appetizers, Wine, and Art at Spring Fling: April 21, 6-9 p.m., Trail's End Art Center



by Norma Keever and Tracy Sherrell

You are invited to Spring Fling, the association's first gathering of the year for members and their guests.

Please join us at the Trail's End Art Center to enjoy an evening of appealing appetizers, bubbling beverages, and inspiring artwork as you meet new neighbors and greet old friends.

The artwork, on the theme of "House and Garden," is sure to awe and inspire us as we revel in the arrival of spring in our own homes and gardens, and the art center is the perfect venue in which to converse and confer as we plan and prepare to design and decorate—or just to rest and relate.

(Trail's End Art Center is the historic two-room schoolhouse at 656 A Street in Gearhart. From Surf Pines, turn right at the light in Gearhart onto Pacific Way, left at Cottage Avenue, and left at A Street.)

The Community Relations Committee, sponsor of the gathering, asks that you bring a hearty appetizer and your favorite beverage to enjoy and share.

Editors' note: Norma Keever chairs and Tracy Sherrell is a member of the Community Relations Committee.



Association Strengthens Enforcement of Speed Limit (continued)

Only recently, however, has an off-duty deputy become available on a regular basis. The deputy's availability has enabled the association to strengthen its enforcement of the posted speed limit.

When radar establishes that a driver is exceeding the speed limit, the deputy reports the driver to the association. The association notifies the driver of its intention to levy an assessment for exceeding the speed limit and provides an opportunity for the driver to request a hearing before the Board of Directors to justify speeding in his or her particular case. If the driver's justification for exceeding the speed limit is rejected or if the driver waives the hearing, then an assessment is levied.



Quick News

Attend Open House at the New Meeting House

You are invited to attend an Open House on May 19 from 2:00 to 4:00 p.m. to celebrate the renovation of the old gatehouse into the new meeting house. Under the direction of Don Kruger, President, and Ken Weber, Chairperson of the Roads and Grounds Committee, renovation is almost complete. When the renovation is complete, the new meeting house will provide a site in Surf Pines not only for monthly board meetings and committee meetings, but also for other meetings of members of the association, including such diverse groups as hikers and quilters. On a scheduled basis, the new meeting house will be available for use by all members.

Attend Monthly Board Meetings

The monthly meetings of the Board of Directors—open to all members of the association—are usually held on the third Monday of each month at 4:30 p.m. in Surf Pines at the new meeting house. "Comments from the Membership" is always toward the top of the agenda.

On the weekend before a meeting, the agenda is available at the gatehouse and on the Surf Pines Web site. Soon after a meeting, the minutes are available on the Web at www.surfpines.org.

Serve on the Budget Committee

Bob McWhirter, Treasurer, is seeking from five to seven members for the Budget Committee.

Typically, the Budget Committee, chaired by the treasurer, meets once or twice during either April or May to prepare the association's budget for the fiscal year for consideration by the Board of Directors and, ultimately, for approval by the membership at the Annual Meeting.

If you are interested in preparing the association's budget for the 2007-2008 fiscal year, then contact either Bob McWhirter or Bill Barrons, Administrator, by April 15 to indicate that you are willing to be appointed to the Budget Committee. (For telephone numbers, addresses, and e-mail addresses for Bob and Bill, see page 8.)

Serve as a Director

The terms of two members of the Board of Directors, Ken Weber and Michael Wilcox, expire this year. As president, Don Kruger will appoint a Nominating Committee to nominate members to fill the open positions on the board. If you have the time and the experience to contribute to the association by serving on the Board of Directors, then contact either Patrick Kelley, Secretary, or Bill Barrons, Administrator, by May 14 to indicate an interest in being nominated. (For telephone numbers, addresses, and e-mail addresses for Patrick and Bill, see page 8.)

Two members of the Board of Directors will be elected at the Annual Meeting on August 4 for three-year terms. Directors are responsible for the management, maintenance, and control of the assets of the association.



Quick News (Continued)

The five directors serve as officers of the association: president, vice president, secretary, treasurer, and a director at large. They also chair most of the committees and assume responsibility for the newsletter and the owners' information guide. Significantly, they are assisted in their work by an administrator.

Plan to Attend the Annual Meeting

The next Annual Meeting of the Surf Pines Association, as announced by Don Kruger, President, is scheduled for Saturday, August 4, at 9:00 a.m. at the Astoria Golf and Country Club. Plan to attend.

Note Procedure to Contact Rocky Bauer

Instead of being available in the office during fixed office hours, Rocky Bauer, the security/maintenance manager, is available on call. If you need to speak with Rocky, then either call him at (503) 738-0637 or stop by the office whenever the "Open" sign is posted.

To accommodate all members of the association, including weekenders, Rocky is on duty through the weekends. His work days are Thursdays, Fridays, Saturdays, Sundays, and Mondays. He is off duty on Tuesdays and Wednesdays.

Burn Safely

Before you burn debris from the fall and winter storms, Michael Wilkin, Chairperson of the Security Committee, asks that you see "Fire and Smoke" in your copy of the *Surf Pines Association Owners' Information Guide, 2006-2007*, page 10. To reduce the risks to people and property presented by fire and smoke, guidelines have been established for members who plan to burn small amounts of debris.

Remember That Dues Are Due

Bill Barrons, Administrator, reminds that dues, which are billed in arrears, are due by the end of the month in which you receive a statement and are delinquent thereafter. For example, a statement dated April 1, 2007, which is for dues during January, February, and March, is due by April 30. Payment is delinquent thereafter.

Know the Consequences of a Delinquent Payment

Bill Barrons, Administrator, explains that if a payment is delinquent for either dues, a fee, or an assessment, then the balance is re-billed each month until it is paid. A late charge is added to the balance each month, \$15 in the case of dues and either \$15 or 5%, whichever is larger, in the case of either a fee or an assessment. If a payment is delinquent for 4 months, then the next re-billing includes a "Notice of Pending Lien." And if a payment for the balance due is still delinquent 15 days after the date of the "Notice of Pending Lien," then a lien on the property is filed with the county. The cost of filing the lien is added to the balance due.

Pay on Time and in Full to Avoid Late Charges

Bill Barrons, Administrator, reports that a few members who have been delinquent in paying either dues, a fee, or an assessment have ignored the added late charge of \$15 or 5%. Ignoring a late charge results in an additional late charge. Here is an example. A member is billed for dues of \$100 at the beginning of April, but does not pay by the end of April. At the beginning of May, the member is re-billed \$115: the original \$100 plus a \$15 late charge. The member pays only \$100 during May, ignoring the late charge, and leaving an unpaid balance of \$15. If that \$15 is unpaid at the end of May, then, at the beginning of June, the member is re-billed \$30: the unpaid \$15 late charge from May plus a \$15 late charge for June. The association encourages members to avoid all late charges by paying on time and in full.

Check Your Listing in the Directory

Check your listing in your copy of the *Surf Pines Association Directory, 2006-2007*. Because members' names change, telephone numbers change, and snail-mail and e-mail addresses change, providing an accurate *Directory* is a challenge. If your listing in the current edition is inaccurate, then contact Bill Barrons with a correction. (For contact information, see page 8.)



A Cautionary Tale of Speed and Money

by Joe Shea and Marsha Morello

May we tell you a cautionary tale?

Before we became residents of Surf Pines, we resided in a guarded, gated community of approximately 600 homes in Arizona. Although that community is a little larger than Surf Pines and a lot drier than Surf Pines, it is rather like Surf Pines.

The streets of the Arizona community are privately owned by the homeowners' association. Although the speed limit of 25 miles per hour is posted on the streets, this speed limit was not enforced. And although the usual signage is posted along the streets, some STOP signs were either improperly placed or not placed at all.

A general contractor built a new street in the community so that he could build new homes. But the contractor neglected to place a STOP sign where the new street intersected an established street.

An automobile accident occurred at this intersection. A truck driven by a subcontractor exited the new street, where there was no STOP sign, and struck a car driven by a plastic surgeon on the established street. At the moment of impact, the speed of the subcontractor's truck, as estimated by the police, was 41 miles per hour. The accident permanently disabled the surgeon's left arm so that she could no longer practice her lucrative profession.

The surgeon hired an attorney. The attorney, in turn, hired off-duty police officers with certified radar guns. The off-duty police officers with the radar guns spent a week in the community researching the speeds of automobiles, not stopping speeders, but simply recording speeds, dates, times, and automobile license numbers. The attorney also hired a traffic engineer. The traffic engineer spent a day in the community researching signage.

Then the surgeon and her attorney filed a \$15 million lawsuit against the homeowners' association and the general contractor.

With the research in hand, the attorney for the surgeon was so well prepared that the case was virtually no contest. The off-duty police officers had recorded speeds up to 60 miles per hour and approximately 400 occurrences of speeds between 26 and 40 miles per hour. The traffic engineer had recorded signs improperly placed or not placed at all. And the lawyer established that the homeowners' association did little or nothing to enforce the speed limit and ensure the proper placement of signs.

The court awarded the surgeon \$15 million in damages and lost income. The homeowners' association had a \$10 million liability insurance policy and the general contractor had a \$2 million policy for a total of \$12 million. Guess who paid the \$3 million balance? The 600 homeowners paid the \$3 million balance, of course—essentially an assessment of \$5,000 for each homeowner—which was paid in significantly increased dues.

Too late to prevent the accident, the disabling injury, and the lawsuit, but in time to minimize the risk of a reoccurrence, the homeowners' association acted to enforce the speed limit of 25 miles per hour and ensure the proper placement of signs. To motivate drivers not to exceed the speed limit, the association tried meetings of members, letters to members, and even door-to-door visits by members of the board directors. But none of these methods was motivating.



A Cautionary Tale of Speed and Money (continued)

Only money was motivating. The association hired off-duty police officers with certified radar guns who issued speeding tickets to drivers who exceeded 28 miles per hour. The association fined these drivers the same amount that they would have been fined for speeding on public streets. After 6 weeks of tickets and fines, most drivers were finally motivated not to exceed the speed limit. And the few members who complained about the strict enforcement of the speed limit were reminded of the reason for it every month when they paid their share of the \$3 million balance from the lawsuit.

We tell you this cautionary tale of speed and money because the community in Arizona is rather like Surf Pines.

Editors' note: Joe Shea and Marsha Morello are members of the Surf Pines Association. Their article is based on Joe's comments at the monthly meeting of the Board of Directors in December 2006. In response to Joe's comments, the board has published "Speed Limit Enforced on the Roads of Surf Pines," an article about the association's policy regarding speeding, in the issue of the *Breeze* for January 2007; hired an off-duty deputy sheriff to monitor speed with radar on a regular basis on the roads of Surf Pines; and directed the standardized placement of STOP signs at intersections.

For the Record: Drivers Assessed for Speeding



Assessments were levied recently against these drivers for exceeding the posted speed limit on the roads of Surf Pines: Stephanie Ackerman, Susan Bristol, Carolyn Cazee, Kimberly Christianson, Mary Davies, Michael Davies, Bruce Goodale, David Hague (twice), Cindy Leibel, Rory Macomb, Tracy Mitchell, James Montgomery, Boice Moore, Timothy Regan, David Schiele, Renee Sinclair, Chad Sweet, and Denele Sweet.

Assessments are based on this schedule of fees:

MPH in Excess of Posted Speed	Assessment
1-10	\$94
11-20	\$141
21-30	\$237
Over 30	\$421

According to the association's policy, notice of this action is published in the *Breeze*.



Meet with the Sunset Lake Community Association



The 2nd Annual Meeting of the Sunset Lake Community Association is scheduled for Saturday, June 9, from 10:00 a.m. to 12:00 noon at the Pacific Grange Hall—and you are invited to attend. The Sunset Lake Community Association is devoted to saving Sunset Lake. If you live either on the lake or near it (or if you enjoy the lake no matter where you live), then you are welcome to join the association and perhaps support its work as a volunteer. For more information about the association and its work, contact Robin Rhodes at either robinrds@msn.com or 738-5208.

Receive Warning of a Tsunami-Generating Earthquake

by Randall Henderson



You know that you can receive warning of a tsunami-generating earthquake from an emergency broadcast system radio.

But do you know that you also can receive warning of a tsunami-generating earthquake from your e-mail, pager, or cell phone? The Earthquake Notification Service is available to you from the Earthquake Hazards Program of the U.S. Geological Survey. Subscribing to the service is easy. That's good. Even better, the service is free.

You can subscribe to the Earthquake Notification Service (ENS) at this government web site: <http://www.earthquake.usgs.gov/eqcenter/ens/>. At the site, click the **Subscribe to ENS** button to begin the process.

After you subscribe, you can choose to be notified of an earthquake by either e-mail, pager, or cell phone. You can either choose to be notified of earthquakes in predefined areas or work with profiles to create a customized area, such as the Pacific Northwest or the Pacific Ocean and the North American coastline. You even can choose when to be notified of earthquakes of different levels of magnitude so that you can be notified of ordinary earthquakes as they occur during the day but only be bothered at night if a really BIG earthquake occurs.

After the big tsunami that devastated areas of south Asia on December 26, 2004, you and I now know the consequences of a tsunami-generating earthquake. Fortunately, we have tools to help us be better prepared when it happens here. It's just up to us to use these tools.

Editors' note: Randall Henderson is a member of the Surf Pines Association.



Surf Pines Social Calendar



The Surf Pines social calendar for 2007 includes these events, as announced by Norma Keever, Chairperson of the Community Relations Committee:

Spring Fling: Appetizers, Wine, and Art —Trail's End Art Center, 656 A St., Gearhart, April 21, 6-9p.m.

Open House at the Meeting House —South Gate, May 19, 2:00-4:00 p.m.

June Jubilee at the Casaleggio Home —89547 Ocean Drive, June 2, 6:00-9:00 p.m.

Picnic in the Park —Surf Pines Park, July 8, 1:00-5:00 p.m.

Ice-Cream Social at the Groshong Home —89012 Ocean Drive, August 18, 2:00-5:00 p.m.

Oktoberfest —Pacific Grange Hall, Highway 101, October 13, 6:00-9:00 p.m.

Holiday Soiree at the Proyect/Wall Home —89061 Stellar Lane, December 8, 6:00-9:00 p.m.

As always, the committee offers a full schedule of seasonal social events that are designed to gather together all members of the association to promote positive community relations.

Participate in the Annual Surf Pines Garage Sale



by Katie Weber

What: 5th Annual Surf Pines Garage Sale

When: July 7 (Saturday Only), 8:30 a.m.-5:00 p.m.

Where: Your Garage or Yard

The 4th of July weekend should bring many buyers to the coast and, in turn, to our "Fabulous One-Day-Only Sale."

A small fee will be collected from participants to pay for newspaper advertising and directional signs to guide buyers to our sale. The amount of the fee (usually only about \$3.00 per participant) depends on the number of participants. Let's make paying for the advertising a joint effort by all participants so that everyone shares equally.

To participate, call Katie Weber at 738-5986 by June 30.

Though this notice might be the only notice in the *Breeze* before the sale, the Community Relations Committee will post a reminder on the bulletin boards.

Editors' note: Katie Weber, a member of the Community Relations Committee, manages the Annual Garage Sale.

Welcome the New Residents



Welcome these new residents to Surf Pines: **Michael & Christine Crowe**, 89523 Manion Drive; **Steven Kustura**, 89604 Ocean Drive; **Leo Meyers**, 89701 Sea Breeze Drive; and **Paul Tice & Kimberly Christianson**, 33273 Neacoxie Lane.

If you are a new resident (since January 1, 2007) but your name is not on this list, then contact Bill Barrons, Administrator. Contact Bill, too, about any inaccuracy in either your name or address.



Letter in the Breeze

Editors:

I received my copy of the January *Breeze* and, as usual, enjoyed it. You do a great job. But I would like to set the record straight regarding "Thank the Clean-up Crew," the item about keeping the roads of Surf Pines open during and after the storm on December 14. Like Rocky Bauer and Youngs River Tree Service, the Gearhart Fire Department worked hard to keep the roads open. But the fire department's work was not mentioned.

The fire department opened Surf Pines Lane twice on that Thursday afternoon. At one time, a vehicle was trapped on Surf Pines Lane with fallen trees blocking both ends. The fire department opened Manion Drive several times. When a falling tree narrowly missed a firefighter on Manion, the fire department decided to wait until the wind decreased before continuing the work. The fire department returned on Friday at about 2:00 a.m. to open more roads. Ocean Drive was blocked at two points at the south end by fallen trees. High Surf Lane was blocked. Osprey Drive and Surf Pines Landing Drive were blocked. Sea Breeze Drive was blocked at several points. Manion Drive was blocked at five or six points. Surf Pines was the hardest hit area in the fire district.

Tom Wilcox

Editors' note: Tom Wilcox, a member of the association, is a long-time volunteer at the Gearhart Fire Department. On December 15, after the storm, the sound of a chain saw was beautiful music, even at 2:00 a.m. We thank the Gearhart Fire Department for its work.

Surf Pines Association Board of Directors

President	Don Kruger	90128 Manion Dr.	861-3815	dnkruger@msn.com
Vice President	Michael Wilkin	89961 Manion Dr.	861-0701	wilkin@ccalmr.ogi.edu
Director	Ken Weber	89783 Sea Breeze Dr.	738-5986	kkweber1@yahoo.com
Secretary	Patrick Kelley	33251 Pine Ridge Ct.	717-8460	roger_masse@sprynet.com
Treasurer	Bob McWhirter	89997 Surf Pines Landing Dr.	738-5758	bobmcwh@aol.com
Administrator	Bill Barrons	1 Third St. No. 202 Astoria, OR 97103	338-8175	bbarrons@dialoregon.net
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Security	Michael Wilkin	89961 Manion Dr.	861-0701	wilkin@ccalmr.ogi.edu
Roads & Grounds	Ken Weber	89783 Sea Breeze Dr.	738-5986	kkweber1@yahoo.com
Community Relations	Norma Keever	89026 Ocean Dr.	738-5069	gnkeever@msn.com
Park	Ken Weber	89783 Sea Breeze Dr.	738-5986	kkweber1@yahoo.com

The Surf Pines Breeze is a quarterly publication of the Surf Pines Association, 33317 Surf Pines Lane, Warrenton, Oregon 97146. Members are invited to contribute articles. Contact Roger Masse or Patrick Kelley at roger_masse@sprynet.com or at 33251 Pine Ridge Court.